

Application No. 10/827117 (Docket: NEXTIO.0402)
37 CFR 1.111 Amendment dated 08/08/2006
Reply to Office Action of 05/08/2006

REMARKS/ARGUMENTS

In the Office Action, the Examiner noted that claims 1-32 are pending in the application and that claims 22-32 are withdrawn from consideration via election. The Examiner additionally stated that claims 1, 3, 4, 12, 14, and 17 are rejected and that claims 2, 5-11, 13, 15, 16, and 18-21 are objected to. By this amendment, claims 2 and 13 have been cancelled and claims 1, 7, 12, and 18 have been amended. Hence, claims 1, 3-12, and 14-21 are pending in the application.

Applicant hereby requests further examination and reconsideration of the application, in view of the foregoing amendments.

In the Specification

The Examiner objected to the title because it is believed that the title is too broad. A new title was required that is clearly indicative of the invention to which the claims are directed. In response, Applicant has amended the title to include reference to encapsulation of domain information in transaction layer packed to enable sharing of I/O endpoints. Accordingly, it is requested that the objection to the title be withdrawn.

The Examiner also objected to the abstract because it exceeds 150 words and required a new abstract that is within 150 words. In response, Applicant has amended the abstract to comply and asks that the objection to the abstract be withdrawn.

Applicant has additionally amended the specification to update the status and numbering of related patent applications and has checked for the presence of minor errors.

In addition, Applicant has amended the specification to secure a substantial correspondence between the claims amended herein and the remainder of the specification. No new matter is presented.

In the Claims

Allowable Subject Matter

The Examiner objected to claims 2, 5-11, 13, 15, 16, and 18-21 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if rewritten in

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independent form including all of the limitations of the base claim and any intervening claims.

Applicant appreciates the Examiner's consideration and indications of allowability of these claims. By this amendment, the allowable limitation of claim 2 has been incorporated into the language of claim 1, and the allowable limitation of claim 13 has been incorporated into the language of claim 12. Claims 2 and 13 have been cancelled and those claims depending from claims 2 and 13 have been amended to now depend from claims 1 and 12, as appropriate.

Rejections Under 35 U.S.C. §102(e)

The Examiner rejected claims 1, 3, and 12 under 35 U.S.C. 102(b) as being anticipated by US Patent 6,823,458 granted to Lee et al. (hereinafter, Lee). Applicant respectfully traverses the Examiner's rejections and notes that claim 1, as amended herein, recites allowable subject matter that is not anticipated by Lee. More specifically, claim 1 recites "wherein said variant comprises encapsulating an OS domain header within a transaction layer packet that otherwise comports with said protocol." This limitation is not found within or suggested by Lee. Accordingly, it is requested that the rejection of claim 1 be withdrawn.

Claim 12, as amended herein, recites substantially the same limitation as is argued above in traversal of the rejection of claim 1. In view of these points, it is requested that the rejection of claim 12 be withdrawn as well.

Claim 3 depends from claim 1 and adds further limitations over that which is argued above as being allowable over the cited reference. Accordingly, it is requested that the rejection of claim 3 be withdrawn as well.

Rejections Under 35 U.S.C. §103(a)

The Examiner rejected claims 4, 14, and 17 under 35 U.S.C. 103(a) as being unpatentable over Lee in view of U.S. Patent Application Publication US 2004/0073716. Applicant respectfully traverses the Examiner's rejections and notes that claims 1 and 12 are amended herein to recited subject matter that is not taught by Lee and which has been

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indicated by the Examiner as being allowable over the prior art of record. Since claim 4 depends from claim 1, and since claims 14 and 17 depend from claim 12, and since these claims add further limitations over that subject matter deemed allowable, it is requested that the rejections of claims 4, 14, and 17 be withdrawn.

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CONCLUSIONS

In view of the arguments advance above, Applicant respectfully submits that claims 1, 3-12, and 14-21 are in condition for allowance. Reconsideration of the rejections is requested, and allowance of the claims is solicited.

Applicant earnestly requests that the Examiner contact the undersigned practitioner by telephone if the Examiner has any questions or suggestions concerning this amendment, the application, or allowance of any claims thereof.

I hereby certify under 37 CFR 1.8 that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date of signature shown below.

Respectfully submitted,
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